



AGENDA
CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING
COMMITTEE MEETING
WEDNESDAY, DECEMBER 5, 2018
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
10:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. APPROVAL OF MINUTES FROM THE NOVEMBER 19, 2018 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2018-0244: A Resolution authorizing an amendment to a Qualified Management Agreement with Hilton Management LLC relating to management of a Convention Center Hotel to change the scope of services in part to pay for maintenance of the connector tunnel between Hilton Hotel and Huntington Park Garage for the period 5/1/2018 - 5/31/2031 and for additional funds in the amount not-to-exceed \$1,061,000.00; authorizing an addendum to the Qualified Management Agreement to confirm the opening date of the hotel as 6/1/2016; authorizing the County Executive to execute the amendment, addendum and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
 - b) R2018-0245: A Resolution authorizing an amendment to Contract No. CE1800242-01 with Whiting-Turner Contracting Company for design-build services for the Maintenance Yard Consolidation Project for additional funds in the amount not-to-exceed \$12,690,000.00;

authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

- c) R2018-0246: A Resolution making an award on RQ43803 to Perk Company, Inc. in the amount not-to-exceed \$4,499,104.25 for resurfacing Cedar Road from South Green Road to Interstate 271 in the Cities of South Euclid, Beachwood, Lyndhurst and University Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

- d) R2018-0247: A Resolution authorizing the County Executive to accept dedication of land for Sweet Gum Trail in Schady Reserve Subdivision (Phase 4), located in Olmsted Township, as a public street (60 feet total) with established setback lines, rights-of-way and easements; authorizing the County Executive to accept dedication of easements for construction, maintenance and operation of public facilities and appurtenances in Schady Reserve Subdivision (Phase 4) to public use granted to the County of Cuyahoga and its corporate successors; authorizing the County Executive to execute the final Plat in connection with said dedications; and declaring the necessity that this Resolution become immediately effective.

- e) R2018-0250: A Resolution authorizing a Purchase and Sale Agreement with Cuyahoga County Board of Developmental Disabilities in the amount of \$1.00 for the purchase of two vacant parcels known as Permanent Parcel Nos. 673-27-049 and 673-27-050 located in the City of East Cleveland; authorizing the County Executive to execute the purchase agreement, quitclaim deed and all other documents related to this conveyance and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

6. MISCELLANEOUS BUSINESS

7. ADJOURNMENT

**Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*

***Council Chambers is equipped with a hearing assistance system. If needed, please see the Clerk to obtain a receiver.*



MINUTES

CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING
COMMITTEE MEETING
MONDAY, NOVEMBER 19, 2018
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
9:30 AM

1. CALL TO ORDER

Chairman Tuma called the meeting to order at 9:34 a.m.

2. ROLL CALL

Mr. Tuma asked Deputy Clerk Carter to call the roll. Committee members Tuma, Conwell and Schron were in attendance and a quorum was determined. Committee members Miller and Baker entered the meeting after the roll call was taken.

3. PUBLIC COMMENT

There were no public comments given.

4. APPROVAL OF MINUTES FROM THE OCTOBER 17, 2018 MEETING

A motion was made by Ms. Conwell, seconded by Mr. Schron and approved by unanimous vote to approve the minutes from the October 17, 2018 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2018-0216: A Resolution authorizing an amendment to an agreement with Five Star Aviation, LLC for lease of land and a corporate hangar facility at the Cuyahoga County Airport, located at 26500 Curtiss-Wright Parkway, Highland Heights, for the period 8/13/1993 - 8/12/2018 to exercise an option to extend the time period to 8/12/2033, to change

the terms, effective 8/13/2018, and for additional revenue in the amount not-to-exceed \$1,034,531.25; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Mr. John Myers, Real Estate Manager, addressed the Committee regarding Resolution No. R2018-0216. Discussion ensued.

Committee members asked questions of Mr. Myers pertaining to the item, which he answered accordingly.

On a motion by Mr. Tuma, with a second by Mr. Schron, Resolution No. R2018-0216 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- b) R2018-0225: A Resolution approving The MetroHealth System's policies and procedures to participate in one or more joint purchasing associations for the purpose of acquiring supplies, equipment and services provided through joint purchasing arrangements in order to achieve beneficial purchasing arrangements for the year 2019, in accordance with Ohio Revised Code Section 339.05; and declaring the necessity that this Resolution become immediately effective.

Mr. Michael King, Special Counsel, addressed the Committee regarding Resolution No. R2018-0225. Discussion ensued.

Committee members asked questions of Mr. King pertaining to the item, which he answered accordingly.

On a motion by Mr. Tuma with a second by Mr. Miller, Resolution No. R2018-0225 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- c) R2018-0231: A Resolution authorizing an amendment to an agreement with CGF Realty LLC (formerly BSREP II Multifamily LLC) for lease of land and a facility located at 1 AEC Parkway, Richmond Heights, for the period 10/16/1990 - 10/15/2025 to extend the time period to 10/15/2068, to change the terms, effective 11/16/2018, and for additional revenue in the amount not-to-exceed \$967,903.87; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Mr. Myers and Mr. Jonathan McGory, Assistant Law Director, addressed the Committee regarding Resolution No. R2018-0231. Discussion ensued.

Committee members asked questions of Messrs. Myers and McGory pertaining to the item, which they answered accordingly.

On a motion by Mr. Tuma with a second by Mr. Miller, Resolution No. R2018-0231 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- d) R2018-0232: A Resolution authorizing an amendment to an agreement with Progressive Casualty Insurance Company for lease of land and a corporate hangar facility at the Cuyahoga County Airport, located at 26340 Curtiss-Wright Parkway, Richmond Heights, for the period 10/1/2006 - 9/30/2011 to exercise options to extend the time period to 9/30/2021 and for additional revenue in the amount not-to-exceed \$960,574.40; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Mr. Myers addressed the Committee regarding Resolution No. R2018-0232. Discussion ensued.

Committee members asked questions of Mr. Myers pertaining to the item, which he answered accordingly.

On a motion by Mr. Tuma, with a second by Mr. Schron, Resolution No. R2018-0232 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- e) R2018-0233: A Resolution authorizing a First Amendment to Contract No. CE1300539-02 with Sparky Plaza, LLC (formerly Cherandon Plaza, LLC) for lease of space for Auto Title Regional Office West, located at 27029 Brookpark Extension Road, North Olmsted, for the period 12/1/2013 - 11/30/2018 to exercise an option to extend the time period to 11/30/2023 and for additional funds in the amount not-to-exceed \$414,800.40; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Mr. Myers addressed the Committee regarding Resolution No. R2018-0233. Discussion ensued.

Committee members asked questions of Mr. Myers pertaining to the item, which he answered accordingly.

On a motion by Mr. Tuma, with a second by Mr. Schron, Resolution No. R2018-0233 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Schron with a second by Mr. Miller, the meeting was adjourned at 10:19 a.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0244

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| <p>Sponsored by: County Executive Budish/Department of Public Works</p> | <p>A Resolution authorizing an amendment to a Qualified Management Agreement with Hilton Management LLC relating to management of a Convention Center Hotel to change the scope of services in part to pay for maintenance of the connector tunnel between Hilton Hotel and Huntington Park Garage for the period 5/1/2018 - 5/31/2031 and for additional funds in the amount not-to-exceed \$1,061,000.00; authorizing an addendum to the Qualified Management Agreement to confirm the opening date of the hotel as 6/1/2016; authorizing the County Executive to execute the amendment, addendum and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p> |
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WHEREAS, the County Executive/Department of Public Works has recommended an amendment to a Qualified Management Agreement with Hilton Management LLC relating to management of a Convention Center Hotel to change the scope of services in part to pay for maintenance of the connector tunnel between Hilton Hotel and Huntington Park Garage for the period 5/1/2018 - 5/31/2031 and for additional funds in the amount not-to-exceed \$1,061,000.00; authorizing an addendum to the Qualified Management Agreement to confirm the opening date of the hotel as 6/1/2016; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to a Qualified Management Agreement with Hilton Management LLC relating to management of a Convention Center Hotel to change the scope of services in part to pay for maintenance of the connector tunnel between Hilton Hotel and Huntington Park Garage for the period 5/1/2018 - 5/31/2031 and for additional funds

in the amount not-to-exceed \$1,061,000.00; authorizing an addendum to the Qualified Management Agreement to confirm the opening date of the hotel as 6/1/2016.

SECTION 2. That the County Executive, Fiscal Officer or designee is authorized to execute the amendment and all other documents consistent with this Resolution. That the County Executive, Fiscal Officer or his authorized designee is authorized to (a) take all actions, and to execute, acknowledge, deliver and/or file for record (as and where appropriate) (i) all documents and instruments necessary or desirable to facilitate and/or consummate the transactions contemplated hereby, and all related documents and, (ii) all other and further documents, instruments, certificates, agreements, amendments, assignments, subleases, consents, affidavits, certifications, disbursement authorizations, settlement statements, closing statements, proration statements, escrow agreements, escrow instructions, and notices, and (iii) amendments, modifications and supplements to any of the foregoing, that the County Executive, Fiscal Officer or designee may deem necessary or advisable in connection with the consummation of the transactions contemplated hereby, (b) the County Executive, Fiscal Officer or designee may agree to such payments, prorations, credits, deposits, holdbacks, escrows, approval of budgets related to the hotel/tunnel/convention center and related facilities and other arrangements as may be necessary or advisable in connection therewith to facilitate and/or consummate such transactions.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and for any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 4. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: November 27, 2018
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 2018

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0245

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| Sponsored by: County Executive Budish/Department of Public Works | A Resolution authorizing an amendment to Contract No. CE1800242-01 with Whiting-Turner Contracting Company for design-build services for the Maintenance Yard Consolidation Project for additional funds in the amount not-to-exceed \$12,690,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. |
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WHEREAS, the County Executive/Department of Public Works has recommended an amendment to Contract No. CE1800242-01 with Whiting-Turner Contracting Company for design-build services for the Maintenance Yard Consolidation Project for additional funds in the amount not-to-exceed \$12,690,000.00; and

WHEREAS, the primary goal of this project is design-build services for the improvements and buildout for the Maintenance Yard Consolidation Project at the existing RTA Harvard Avenue Facility, located at 2501 Harvard Avenue in the Village of Newburgh Heights, located in Council District 8 and to properly maintain the County's infrastructure; and

WHEREAS, the anticipated start completion dates are 3/31/2018 – 12/31/2019; and

WHEREAS, this amendment will be funded as follows: a) General Fund Reserve to be repaid over a 15-year term by the Sanitary Sewer Fund (estimated 70%), b) Road and Bridge Fund (estimated 20%), and c) Fleet Services (estimated 10%-General Fund); and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1800242-01 with Whiting-Turner Contracting Company for design-build services for the Maintenance Yard Consolidation Project for additional funds in the amount not-to-exceed \$12,690,000.00.

SECTION 2. That the County Executive is authorized to execute the amendment and all other documents consistent with this Resolution.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 4. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: November 27, 2018
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0246

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| Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer | A Resolution making an award on RQ43803 to Perk Company, Inc. in the amount not-to-exceed \$4,499,104.25 for resurfacing Cedar Road from South Green Road to Interstate 271 in the Cities of South Euclid, Beachwood, Lyndhurst and University Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. |
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended an award on RQ43803 to Perk Company, Inc. in the amount not-to-exceed \$4,499,104.25 for resurfacing Cedar Road from South Green Road to Interstate 271 in the Cities of South Euclid, Beachwood, Lyndhurst and University Heights; and

WHEREAS, the anticipated start-completion dates are 4/1/2019 - 6/26/2020; and

WHEREAS, the project is funded by Federal Local Project Administration; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ43803 to Perk Company, Inc. in the amount not-to-exceed \$4,499,104.25 for resurfacing Cedar Road from South Green Road to Interstate 271 in the Cities of South Euclid, Beachwood, Lyndhurst and University Heights.

SECTION 2. That the County Executive is authorized to execute the contract in connection with said award and all other documents consistent with this Resolution.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble.

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0247

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| <p>Sponsored by: County Executive Budish on behalf of Cuyahoga County Planning Commission</p> | <p>A Resolution authorizing the County Executive to accept dedication of land for Sweet Gum Trail in Schady Reserve Subdivision (Phase 4), located in Olmsted Township, as a public street (60 feet total) with established setback lines, rights-of-way and easements; authorizing the County Executive to accept dedication of easements for construction, maintenance and operation of public facilities and appurtenances in Schady Reserve Subdivision (Phase 4) to public use granted to the County of Cuyahoga and its corporate successors; authorizing the County Executive to execute the final Plat in connection with said dedications; and declaring the necessity that this Resolution become immediately effective.</p> |
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WHEREAS, pursuant to Ohio Revised Code Section 711.10, the Cuyahoga County Planning Commission has authority to adopt regulations and procedures governing the proposed divisions of land to review and approve, approve with conditions, or to disapprove the proposed preliminary plan of new major subdivisions; and

WHEREAS, the Cuyahoga County Land Development Regulations originally adopted November 8, 2007 and amended December 9, 2010, require the Cuyahoga County Planning Commission to refer the final dedication plat to the County “for acceptance of dedication of land for any public street, highway or other public ways, open space, or public easement on the final plat;” and

WHEREAS, the Cuyahoga County Planning Commission has granted conditional approval of the Final Plat for Schady Reserve Phase 4 on November 8, 2018; and

WHEREAS, pursuant to the above regulations, acceptance of the dedication of land for Sweet Gum Trail in Schady Reserve Subdivision (Phase 4) as a public street (60 feet total) with established setback lines, rights-of-way, and easements; and also accepting and dedicating easements for the construction, maintenance, and operation of public facilities and appurtenances in the Schady Reserve Subdivision (Phase 4).

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the County Council hereby authorizes the County Executive to accept dedication of land for Sweet Gum Trail in Schady Reserve Subdivision (Phase 4) as a public street (60 feet total) with established setback lines, rights-of-way, and easements; to accept dedication of easements for construction, maintenance and operation of public facilities and appurtenances in Schady Reserve Subdivision (Phase 4) to public use granted to the County of Cuyahoga and its corporate successors.

SECTION 2. That the County Executive is authorized to execute the final Plat in connection with said dedications of land.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 4. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: November 27, 2018

Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 2018

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0250

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| <p>Sponsored by: County Executive Budish on behalf of Cuyahoga County Board of Developmental Disabilities</p> | <p>A Resolution authorizing a Purchase and Sale Agreement with Cuyahoga County Board of Developmental Disabilities in the amount of \$1.00 for the purchase of two vacant parcels known as Permanent Parcel Nos. 673-27-049 and 673-27-050 located in the City of East Cleveland; authorizing the County Executive to execute the purchase agreement, quitclaim deed and all other documents related to this conveyance and consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p> |
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WHEREAS, the County Executive has recommended a Purchase and Sale Agreement with Cuyahoga County Board of Developmental Disabilities in the amount of \$1.00 for the purchase of two vacant parcels known as Permanent Parcel Nos. 673-27-049 and 673-27-050 located in the City of East Cleveland, Ohio; and

WHEREAS, all documents necessary to complete this conveyance shall be placed with Cuyahoga County and the quitclaim deed shall be recorded on or about but not after February 25, 2019; and

WHEREAS, County Council has determined that entering into the proposed purchase agreement and authorizing the quitclaim deed is in the best interest of the County; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby authorizes a Purchase and Sale Agreement with Cuyahoga County Board of Developmental Disabilities in the amount of \$1.00 for the purchase of two vacant parcels known as Permanent Parcel Nos. 673-27-049 and 673-27-050 located in the City of East Cleveland.

Journal _____
_____, 20__